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9 Attorneys for Defendant

10
11 IN THE UNITED STATES DISTRICT COURT
12
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 RICKY A. SPADE,

15 Plaintiff,

16 v.

17 JO ANNE B. BARNHART,
18 Commissioner of
19 Social Security,

20 Defendant.

21 CASE NO. 2:03-CV-01041-PAN

22 STIPULATION AND [proposed]
23 ORDER SETTLING ATTORNEY'S
24 FEES PURSUANT TO THE EQUAL
25 ACCESS TO JUSTICE ACT

26 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
27 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
28 Equal Access to Justice Act (EAJA) in the amount of FOUR THOUSAND AND 00/100 DOLLARS
(\$4,000.00). This amount represents compensation for legal services rendered on behalf of Plaintiff
by Plaintiff's attorney in accordance with 28 U.S.C. § 2412(d).

29 This stipulation constitutes a compromise settlement of Plaintiff's request for all fees and costs
30 under the EAJA, and does not constitute an admission of liability on the part of Defendant under the
31 EAJA. Payment of the FOUR THOUSAND AND 00/100 DOLLARS (\$4,000.00) in fees shall

1 constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA
2 fees and costs in connection with this action.
3

4 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
5 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
6 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
7 password, pursuant to Local Rule 7-131.
8

DATED: October 7, 2005

/s/ Bess M. Brewer

BESS M. BREWER

10 Attorney for Plaintiff
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DATED: October 7, 2005

12 McGREGOR W. SCOTT
13 United States Attorney
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15 By: /s/ Bobbie J. Montoya

16 BOBBIE J. MONTOYA
17 Assistant U. S. Attorney
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Attorneys for Defendant

19 OF COUNSEL
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21 LUCILLE GONZALES MEIS
Chief Counsel, Region IX
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PETER THOMPSON
Assistant Regional Counsel
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24 U. S. Social Security Administration
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28 Re: RICKY A. SPADE v. JO ANNE B. BARNHART, Case No. 2:03-CV-01041-PAN, Stipulation and Order Settling Attorney's
Fees Pursuant to the Equal Access to Justice Act

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ORDER

Upon stipulation of the parties, plaintiff in CASE NO. 2:03-CV-01041-PAN, RICKY A. SPADE v. Jo Anne B. Barnhart, is hereby awarded attorney fees in the amount of \$4,000.00, pursuant to the Equal Access to Justice Act.

APPROVED AND SO ORDERED.

Dated: October 17, 2005.

/s/ Peter A. Nowinski
PETER A. NOWINSKI
Magistrate Judge